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In re Application of

OFFICE OF PETITIONS

Heiskala, et al.

: ON PETITION

Application No. 09/672,753 Filed: September 28, 2000

Atty. Dkt. No. 042933/302808

This is a decision on the petition under 37 CFR 1.137(b), filed November 7, 2005, to revive the above-identified application.

The petition is GRANTED.

The instant application became abandoned for failure to timely submit a proper reply to the Notice of Allowance (Notice) mailed April 27, 2005. The Notice set a three month statutory period of time for reply. Notice of Abandonment was mailed October 28, 2005.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(III)(C) and (D).

The required petition fee and issue fee have been charged to the deposit account referenced in the instant petition.

The instant petition has been reviewed and found in compliance with the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely submit a proper reply to the Notice is accepted as having been unintentionally delayed.

This application is being directed to the Office of Patent Publication for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.

ALESÍA M. BROWN

Petitions Attorney

Office of Petitions